

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

WILLIE GIBBS,)	No. ED96794
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
v.)	1022-CC12001
)	
STATE OF MISSOURI,)	Honorable Bryan Hettenbach
)	
Respondent.)	Filed: February 21, 2012

Willie Gibbs (Movant) appeals from the motion court's judgment denying, without an evidentiary hearing, his Motion under Rule 29.15 to Vacate, Set Aside, or Correct Judgment and Sentence and Request for Evidentiary Hearing (Rule 29.15 Motion).

AFFIRMED.

Division One Holds: Movant has not alleged facts showing his speedy trial rights were violated under IAD, nor that counsel was ineffective for failing to file a motion to dismiss on that basis. The prosecutor's closing argument did not contain improper personalization, nor did it have a decisive effect on the verdict. Thus, the factual allegations contained in Movant's Rule 29.15 motion are refuted by the record and do not entitle him to relief. The motion court did not clearly err in denying his motion without an evidentiary hearing.

Opinion by: Gary M. Gaertner, Jr., J.
Clifford H. Ahrens, P.J., and Roy L. Richter, J., concur.

Attorney for Appellant: Timothy Forneris

Attorney for Respondent: John M. Reeves

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.
